

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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SENATOR BEUTLER: It appears, and maybe I'm not reading this right, but it seems to me that what this section is saying in...with respect to that portion that deals with identifying franchisees within the consumer's community, that that is applicable even when the transaction in every aspect is in...would be in a different state. Is that accurate?

SENATOR BROMM: With...

SENATOR BEUTLER: Just by virtue of it having taken place on the Internet...

SENATOR BROMM: If...if that...if that individual or entity is a manufacturer or distributor and they identify consumer sources for new motor vehicles or used vehicles being distributed directly or indirectly by the manufacturer or distributor, got...got to read that all together, then that manufacturer or distributor shall make a reasonable effort to identify franchisees of that manufacturer within the community where the purchaser resides. And if we don't have this language I think it would be fairly easy for a manufacturer to circumvent what we're doing here and this is an effort to tighten down the obligation of the manufacturer to provide every opportunity for the local franchise owner to supply the car that they're selling.

SENATOR BEUTLER: Well, let's...let's try a couple of examples. Let's say you had a franchise owner...

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: ...in Kansas City for a particular manufacturer and he put out over the Internet, he or she put out over the Internet, the fact that they were...they had a huge volume down there, a huge inventory, and so they can sell cars cheaper if you're willing to drive down to Kansas City and pick up the car, and they're advertising that over the Internet. In that situation, would that person not be a manufacturer or a distributor, or would that person be required to identify other sources under the language on page 19?

SENATOR BROMM: The person in Kansas City is what? Is a...